

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DR. BONNIE SPEARMAN, Plaintiff	:	No. 3:24cv1825
	:	(Judge Munley)
V.	:	(Chief Magistrate Judge Bloom)
MARCEL LAKE ESTATES	:	
PROPERTY OWNERS ASSOCIATION;	:	FILED
FRANK CAROZZA; GIL CLARK;	:	SCRANTON
RICHARD HANEL; TOM	:	
SCHWENZER; JOAN SCULLIN; and	:	JUL 11 2025
NICKIE TOLERICO,	:	
Defendants	:	PER <u>JKC</u> DEPUTY CLERK

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ORDER

AND NOW, to wit, this 11th day of July 2025, for the reasons set forth in an accompanying memorandum, it is hereby ORDERED that:

- 1) Plaintiff Dr. Bonnie Spearman's objections, (Doc. 23), to the report and recommendation ("R&R") of Chief Magistrate Judge Daryl F. Bloom are **OVERRULED**, except for her objection regarding claims asserted pursuant to the Pennsylvania Human Relations Act ("PHRA"), 43 PA. STAT. § 955(d), (e), which the court did not reach in its memorandum;
- 2) The R&R, (Doc. 22), is **ADOPTED** to the extent that it determined that the plaintiff's second amended complaint failed to state claims for violation of 42 U.S.C. § 1981 ("Section 1981") and that leave to amend these claims would be futile;

- 3) Defendant's motion to dismiss, (Doc. 14), is **GRANTED** regarding the plaintiff's Section 1981 claims;
- 4) Plaintiff's Section 1981 claims are **DISMISSED** with prejudice;
- 5) The R&R is **NOT ADOPTED** regarding its recommended disposition of plaintiff's PHRA claims;
- 6) The court declines to exercise supplemental jurisdiction over plaintiff's PHRA claims, see 28 U.S.C. § 1337(c)(3);
- 7) Plaintiff's PHRA claims are **DISMISSED** without prejudice; and
- 8) The Clerk of Court is directed to close this case.

BY THE COURT:

JUDGE JULIA K. MUNLEY
United States District Court